



IT IS ORDERED as set forth below:

Date: July 5, 2022

A handwritten signature in black ink, reading "Jeffery W. Cavender".

**Jeffery W. Cavender
U.S. Bankruptcy Court Judge**

UNITED STATES DISTRICT BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

LATOSHA DEWAUN MATHIS,

DEBTOR

CHAPTER 13

CASE No. 20-70035-JWC

ORDER ON MOTION TO RETAIN RETIREMENT FUNDS

On June 3, 2022, Debtor filed a Motion to Retain Retirement Funds (Doc 59) seeking to withdraw from her retirement account in order to catch up on mortgage payments and pay off the remaining balance of the plan. No objection to the Motion was filed prior to the objection deadline. Moreover, the Chapter 13 Trustee has no opposition. The matter came before the Court for hearing on June 28, 2022. The Chapter 13 Trustee's Motion to Reconvert this Case to One Under Chapter 7 (Doc. No. 55) also came before the Court for hearing on June 28, 2022 and the case was placed on a status report for retirement funds to be paid to Chapter 13 Trustee. Debtor believes that withdrawing the funds is in her best interests as it is necessary to prevent the hardship of loss of her primary residence as the result of liquidation of her residence through a Chapter 7 proceeding

and subsequent eviction or foreclosure. The Court has considered the Motion and all other matters of record, including the lack of objection thereto. Based on the foregoing and for the reasons stated on the record at the hearing, the Court finds that good cause exists to grant the relief requested. Accordingly, it is hereby

ORDERED that Kaiser annuity administrator is authorized to release \$49,422.78 to the Debtor to protect against the aforementioned hardship; it is

FURTHER ORDERED that upon receipt of the annuity proceeds, Debtor shall immediately remit \$46,000.00 to Chapter 13 Trustee to pay all creditors in full and Debtor may retain the remaining balance to cure the mortgage delinquency; it is

FURTHER ORDERED that should the annuity proceeds be insufficient to pay the remaining balance of the plan, Debtor shall immediately resume monthly payments to the Chapter 13 Trustee.

[END OF DOCUMENT]

Prepared and Submitted by
JEFF FIELD & ASSOCIATES:

/s/ Christopher J. Sleeper

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No Opposition:

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IDENTIFICATION OF PARTIES TO BE SERVED

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